

United States District Court
District of Massachusetts (65923)

Joan Laurene Schantz

v.

NORFOLK FINANCIAL;
DANIEL W. GOLDSTONE, ESQ.;
GOLDSTONE & SUDALTER, PC;
MAUREEN FORSYTH, Esq. Refused to Ch NJ MB Bauman

RECEIPT # 65923
AMOUNT \$ 250.00
SUMMONS ISS. ye
LOCAL RULE 41 ACTION
NUMBER OF SERV. 1
ISSUED 7-27-05
ATT'D BY 121
BY DPLT CLK 05
DATE 7-27-05

05-1 1587 MLW

COMPLAINT

- 1) The plaintiff is a resident of Boston, SUFFOLK COUNTY, MASSACHUSETTS and a citizen of the United States
- 2) THE DEFENDANT NORFOLK FINANCIAL is a CREDIT CARD COLLECTIONS AGENCY AND PURCHASER OF CREDIT CARD DEBT. THE DEFENDANT DANIEL W. GOLDSTONE, ESQ. is ONE OF THE PRINCIPALS OF NORFOLK FINANCIAL and of GOLDSTONE & SUDALTER, PC AND IS ALSO AN ATTORNEY. THE DEFENDANT GOLDSTONE & SUDALTER, PC IS ONE OF THE COMPANIES BELONGING TO DANIEL W. GOLDSTONE AND THE FIRST ENTITY TO MAKE ~~THE~~ COLLECTION ATTEMPTS. THE DEFENDANT MAUREEN FORSYTH IS AN ATTORNEY AND AN

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EMPLOYEE AND/OR REPRESENTATIVE
OF NORFOLK FINANCIAL AND DANIEL
W. GOLDSTONE, ESG

JURISDICTION

3) THIS COURT HAS JURISDICTION
OVER THIS MATTER PURSUANT TO
28 U.S.C. § 1331 (§1331).

FACTS

4) ON JULY 28, 2005 AND AUGUST
16, 2004 NORFOLK FINANCIAL CORP.
DANIEL W. GOLDSTONE, ESG., AND
MAUREEN FORSYTH, ESG.
CAUSED NOTICES TO BE MAILED
TO PLAINTIFF "JOAN SCHAUB"
THAT MADE, MISREPRESENTATIONS
FALSE
OF THE AMOUNT OF DEBT
THAT MAY BE DUE TO THEM
AS PURCHASERS OF CREDIT
CARD DEBT— AND CONTINUING
A PATTERN OF MISREPRESENTATION
FALSE
OF ALLEGED DEBT AMOUNTS
BEGUN WITH COLLECTION
PRACTICES OF GOLDSTONE &
SUDALTER, P.C.

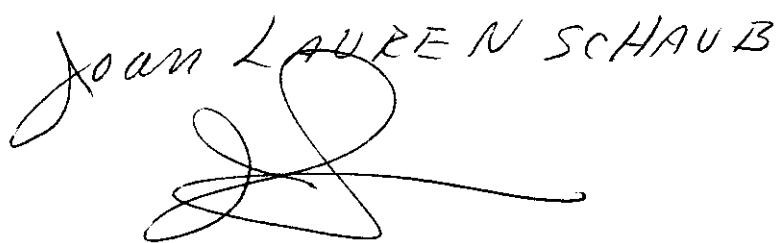
5) DEFENDANTS SENT THIS
NOTICES OF FALSE MISREPRESENTATION
OF THE AMOUNTS OF DEBT
ALLEGED DUE THEM IN
CONNECTION WITH COURT
PROCEEDINGS AT THE STATE
~~LEVEL~~ LEVEL KNOWING THE
AMOUNTS TO BE FALSE ~~AND~~
— ALTHOUGH PLAINTIFF DID
NOT KNOW THEY WERE FALSE.

6) DEFENDANTS ENGAGED IN A
CONTINUING PATTERN OF MISREP-
RESENTATION AND OTHER
HARASSMENT AGAINST PLAINTIFF
CAUSING PLAINTIFF SIGNIFICANT
EMOTIONAL DISTRESS AND OTHER
EFFECTS

7) WHEREFORE, the Plaintiff
demands judgment against the
defendants for damages and
such other relief as this
court deems just.

8) PLAINTIFF ~~REQUESTS~~ DEMANDS TRIAL
BY JURY.

Plaintiff, Pro Se

Joan LAUREN SCHAUB


35 APPLETON ST.

BOSTON, MASS 02116

617.542.0365

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

JOAN LAUREN SCHAUER

(b) County of Residence of First Listed Plaintiff

SUFFOLK

(EXCEPT IN U.S. PLAINTIFF CASES)

35 APPLETON ST.
BOSTON, MA. 02116

(c) Attorney's (Firm Name, Address, and Telephone Number)

617.542.0365 PRO-SE

05

DEFENDANTS

NORFOLK FINANCIAL;
DANIEL W. GOLDSTONE, ESQ.;
GOLDSTONE & SUDALTER, PC, ESQ.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

11587 MLW, ESQ.

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

 1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party) 2 U.S. Government Defendant 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State

PTF

DEF

Incorporated or Principal Place of Business In This State

PTF

DEF

Citizen of Another State

PTF

DEF

Incorporated and Principal Place of Business In Another State

PTF

DEF

Citizen or Subject of a Foreign Country

PTF

DEF

Foreign Nation

PTF

DEF

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	28 USC 157	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	PROPERTY RIGHTS	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 830 Patent	<input checked="" type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 360 Other Personal Injury	LABOR	<input type="checkbox"/> 510 Selective Service
<input type="checkbox"/> 190 Other Contract			SOCIAL SECURITY	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability			<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 875 Customer Challenge
<input type="checkbox"/> 196 Franchise			<input type="checkbox"/> 720 Labor/Mgmt. Relations	12 USC 3410
REAL PROPERTY	CIVIL RIGHTS	PRIISONER PETITIONS	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	Habeas Corpus:	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 245 Torts Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 550 Civil Rights		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition		<input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation

Appeal to District Judge from Magistrate Judgment

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 USC § 1692e

Brief description of cause:

FALSE REPRESENTATION OF AMOUNT OF DEBT

VI. CAUSE OF ACTION

 CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VII. REQUESTED IN COMPLAINT:

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. Title of case (name of first party on each side only) JOAN LAUREN SCHAUER VS.
NORFOLK FINANCIAL / DANE DANIEL W. GOLDSTONE Esq.

2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).

- I. 160, 410, 470, 535, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 195, 196, 368, 400, 440, 441-446, 540, 550, 555, 625, 710, 720, 730, *Also complete AO 120 or AO 121
740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. for patent, trademark or copyright cases
- III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310,
315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371,
380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 480, 490, 510, 530, 610, 620, 630, 640, 650, 660,
690, 810, 861-865, 870, 871, 875, 900. **05-11587 MLW**
- V. 150, 152, 153.

3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.

4. Has a prior action between the same parties and based on the same claim ever been filed in this court?

YES NO

5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)

YES NO

If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?

YES NO

6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?

YES NO

7. Do all of the parties in this action, excluding governmental agencies of the united states and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).

YES NO

A. If yes, in which division do all of the non-governmental parties reside?

Eastern Division Central Division Western Division

B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?

Eastern Division Central Division Western Division

8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)

YES NO

(PLEASE TYPE OR PRINT)

PRO - SE

ATTORNEY'S NAME JOAN LAUREN SCHAUER

ADDRESS 35 Boston Appleton SV. Boston 02116

TELEPHONE NO. 617-542-0365